

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – MAY 5, 2015**

The meeting was called to order at 9:00 A.M. with Commissioners Kasian and Kessel in attendance. Chairman Arthaud was absent.

Others present during portions of the meeting were: Bryan Armbrust, Deputy Auditor Colleen Lapp, Sheriff Pat Rummel, Road Superintendent Jeff Iverson, Gordon Gerbig, Tina Thornton, Shannon Boehm, Randy Mosser, Justin Hyndman, Jen Turnbow, Tommy Brown, Chief Deputy Sheriff Jason Kastrow, Engineer Jeremy Wood, Joe Snow.

Kasian moved to approve the minutes from the April 7, 2015 regular meeting. Kessel seconded. All voted aye.

Auditor Lamb stated that there were two positions on the zoning board that are to expire at the end of April. Joe Kessel and John Tczap both would like to continue serving on this board. Kasian moved to re-appoint both Joe Kessel and John Tczap for a four year term. Kessel seconded. All voted aye.

An application for a Fireworks Permit from Pyrotechnic Display Inc. was discussed. The application requests stage pyrotechnics to open and close the Medora Musical nightly from the 4th of June to September 12, 2015. Auditor Lamb will send a letter to the company stating that the application is approved contingent upon following the burn ban that is in place.

Bryan Armbrust was present to discuss a request for dust control near his home.

Shannon Boehm and Tina Thornton from the United States Forest Service were present to discuss the possibility of the County taking over maintenance on Mikes Creek road. Randy Mosser and Gordon Gerbig were present at the meeting to support the idea of the county maintaining, and stated county concerns of grazing, weed spraying and fire access. Discussion ensued regarding the crossing points that are washed out and the poor condition of the road. Whiting is currently set to reclaim the entire road but for the first mile. Different possibilities were discussed and Road Superintendent Iverson will contact Whiting. No decision was made.

The board reviewed zoning requests that had been addressed by the zoning board at their April 16, 2015 meeting as follows:

Patrick & Shelly Obrigewitch: 3.90 acre parcel in SE1/4SW1/4 Section 35-141-99 - Notice of potential zoning violation was sent to Patrick Obrigewitch. Currently there are three semi-trucks at the property. Discussion ensued regarding the property and the requirement that it remained residential use. Zoning Director Swanson stated that all of the realtors in the area were given notice that this property would not allow commercial zoning. Discussion ensued regarding the decisions that were made in June, 1980 allowing Halliburton trucks, but stating that there would be no other commercial or industrial use allowed. The concern at that time was truck traffic on Highway 85 and safety concerns at 6 mile corner, which have not changed. The board discussed the previous applications to allow for commercial truck parking in the same area that had been denied. The zoning board denied the application. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

The board received and approved the following permits with road superintendent conditions:

ARW Permits

- Radtke Service LLC/Giles Radtke – SE1/4 Section 8-139-100 along 38th Street SW
- Larry Larimer – Section 1-144-98 along 7th Street SW

Zoning Director Swanson handed out a proposal for change in the fee structure for zoning applications. The zoning board approved the fee structure. Kasian moved to approve the fee structure as presented by Swanson. Kessel seconded. All voted aye.

Sheriff Rummel presented his monthly report that showed an increase in calls from 2014 to 2015 with 72 calls higher. He stated that there have been more complaints on traffic and more housing developments. The transient population also has increased. Discussion ensued regarding the possibility of hiring another Sheriff's Deputy. No decision was made at this time. Discussion was also had regarding a property issue in Fryburg.

Kasian moved to approve paying holiday pay for a county employee who worked on Easter Sunday as well as Good Friday. He will receive 8 hours of holiday pay for both days. Kessel seconded. All voted aye.

At 11:00A.M. bids were opened by Engineer Jeremy Wood for Crushing & Stockpiling scoria in the NE1/4 Section 23-139-100 and NW1/4 Section 36-141-98 and SW1/4 Section 8-139-101. Five bids were received as follows: Fisher Sand & Gravel \$267,000.00, Meyer Aggregate LLC \$277,500.00; 24/7 Contracting Services LLC \$370,362.00; Aggregate Construction Inc \$398,000.00; and Gravel Products Inc. \$435,500.00. The engineer recommended awarding to the low bid of Fisher Sand & Gravel, contingent upon math calculations being correct. Kasian moved to award bid to Fisher Sand & Gravel. Kessel seconded. All voted aye.

Road Superintendent Jeff Iverson and Auditor Lamb discussed the necessity for a change in the way time is being kept for the road crews. Due to stricter regulations on reimbursement for grants, etc., the road crews will need to track their equipment time, as well as time worked on specific projects. This will also help with asset management. Iverson and Lamb will meet with Stark County as they have a program that works well for them.

Iverson then provided a report on projects in the county.

Justin Hyndman and Tommy Brown from KLJ were present for the monthly engineer’s report.

Jen Turnbow was present to discuss the Little Missouri River Crossing project. She brought the board’s attention to the May 6, 2014 commission meeting minutes and the January 6, 2015 meeting minutes that erroneously stated that the noise report and the final cultural report and draft EIS were submitted to Federal Highway. After discussion, it was determined that it was stated that they were being readied to submit to Fed Highway. Kessel moved to amend the minutes from the May 6, 2014 and January 6, 2015 meetings to reflect those changes. Kasian seconded. All voted aye.

Auditor Lamb gave the board an update regarding ongoing legal issues.

The board recessed from 12:30 to 1:30 P.M.

The board approved the revenue vouchers for the month of April: Recorder \$4,882.26; Zoning \$225.00; Court \$115.00; Sheriff \$140.50

Revenues for materials and/or services rendered in April: Community Ambulance \$43,392.43 paramedic services; City of Medora \$126,050.78 paramedic services; Various \$1,923.37 Ambulance services Tim Hendricks \$555.00 scoria & hauling; Doug Hecker \$505.06 health insurance; WEED SPRAYING: ND Department of Transportation \$10,218, Russ & Kami Kling \$200.10;

Revenues for the month of April: Sheriff \$18,443.75 permits, Sheriff \$280.00 24/7 payments; Highway Tax Distribution \$15,514.06; Oil & Gas Production Tax \$91,743.45; Interest \$2,656.86; Royalties \$21,036.17; Unorganized Oil & Gas Production Tax \$28,228.73; State Aid Distribution \$92,590.97; Misc \$4,990.08; State PILT \$5,177.09; 12% State Tax Credit \$172,485.85; Township Road Distribution \$21,821.55; Community Paramedic Program \$11,796.25;

The following claims were approved for payment:

PAYEE	CHECK #	AMOUNT
Blue Cross Blue Shield	009279	\$ 2,832.40
N.D. P.E.R.S.	009280	\$ 41,622.40
3D Specialties	009281	\$ 1,026.00
Advanced Business Methods	009282	\$ 1,012.68
Alternative Sanitation	009283	\$ 220.00
Alternative Wrecker Service, Inc.	009284	\$ 900.00
A T & T Mobility	009285	\$ 72.77
Belfield Automotive Supply, Inc.	009286	\$ 822.44
Bierschbach Equipment & Supply	009287	\$ 987.70
Billings County Rural Fire District	009288	\$ 16,178.20
Billings County Historical Society	009289	\$ 792.55
Billings County Pioneer	009290	\$ 753.12
Billings County School District	009291	\$ 96,681.70
Boespflug Trailers & Feed	009292	\$ 172.50
Bound Tree Medical	009293	\$ 1,137.94
Brooks & Associates, C. E.	009294	\$ 225.48
Buffalo Gap, Inc.	009295	\$ 385.95
Butler Machinery Co.	009296	\$ 301.45
Cerkoney, Cathy	009297	\$ 90.25
CHI St. Joseph’s Health	009298	\$ 5.03
Choice Financial	009299	\$ 38.00
Complete Crete	009300	\$ 2,467.62
D & K Services, LLC	009301	\$ 527.92
Dakota Farm Equipment, Inc.	009302	\$ 210.46
Dakota Filter Supply	009303	\$ 246.84
Dakota Insurance	009304	\$ 158.00
Dan’s Interstate Conoco, Inc.	009305	\$ 106.58
Deans Distributing	009306	\$ 958.53
Dell Marketing, LP	009307	\$ 238.80
Dickinson Public Library	009308	\$ 3,287.37
Display Sales	009309	\$ 218.00
Dreyer, Mark	009310	\$ 292.46
Electronic Communications	009311	\$ 782.50
Elite Power	009312	\$ 10,000.00
E.S.R.I.	009313	\$ 2,200.00
Four Corners Cafe	009314	\$ 690.00
George’s Tire, LTD	009315	\$ 40.00
Gilseth, Mitch	009316	\$ 154.00
Hartman, Connie M.	009317	\$ 119.10
Heiser Electric, Don	009318	\$ 988.75
Hewlett Packard Company	009319	\$ 702.88

Hintz, Kadon	009320	\$	1,000.00
Hlebechuk Construction, Inc.	009321	\$	13,092.50
Information Technology Department	009322	\$	22.85
J P Steel & Supply, Inc.	009323	\$	194.98
James Oil Well Service, Inc.	009324	\$	1,524.00
Jamestown Communications, Inc.	009325	\$	216.00
JM Welding, LLC	009326	\$	427.50
Kadrmass, Lee, & Jackson, Inc.	009327	\$	77,314.40
Kasian, Connie	009328	\$	84.50
Kasian, Michael E.	009329	\$	149.50
Kastrow, Jason	009330	\$	87.50
Kessel, Anita F.	009331	\$	197.75
Kessel, Clara	009332	\$	315.00
Kessel, Joseph L.	009333	\$	183.43
Kevin's Auto & Truck Repair	009334	\$	623.80
Krush, Paul	009335	\$	98.30
La Playa Restaurant & Bar	009336	\$	590.00
Lyle Signs, Inc.	009337	\$	5,693.08
Mainstay Suites – Bismarck	009338	\$	415.00
Malkowski Trucking	009339	\$	7,000.00
Martin Construction	009340	\$	414,514.81
Medora, City of...	009341	\$	3,840.13
Menards – Dickinson	009342	\$	536.77
Midstate Telephone Company	009343	\$	950.46
Midwest Doors, Inc.	009344	\$	133.48
Motorola Solutions	009345	\$	255.00
N.D. Association of Counties	009346	\$	967.94
N.D. Attorney General's Office	009347	\$	300.00
N.D. Cowboy Hall of Fame	009348	\$	200.00
N.D. Newspaper Association	009349	\$	181.80
N.D.P.E.R.S.	009350	\$	3,956.74
N.D. State Treasurer	009351	\$	2,020.69
N.D. State's Attorney Association	009352	\$	300.00
NDACO Resources Group, Inc.	009353	\$	1,840.19
N.D. Assoc. County Superintendents	009354	\$	50.00
NDLTAP – UGPTI	009355	\$	50.00
Newby's Ace Hardware	009356	\$	198.95
North Dakota One Call	009357	\$	3.30
Northern Plains Engineering, LLC	009358	\$	11,900.00
Northwest Tire, Inc.	009359	\$	1,466.94
O'Brien Oilfield Service, LLC	009360	\$	139.04
Off Road Software, Inc.	009361	\$	695.00
Prairie Excavation, LLC	009362	\$	8,367.50
Professional Printing	009363	\$	1,640.00
Putnam, Karen	009364	\$	51.15
Ramkota Hotel – Bismarck	009365	\$	99.00
Ray's Auto Electric, Inc.	009366	\$	69.90
RDO Trust 80-5800	009367	\$	3,825.46
Richard, Byron & Kathleen	009368	\$	225,180.00
RPM Auto Repair	009369	\$	2,793.84
Rudy's Lock & Key	009370	\$	210.00
Rummel, Patrick	009371	\$	115.50
Runnings Farm & Fleet, Inc.	009372	\$	644.38
Sanford Health – Bismarck	009373	\$	254.50
Sax Motor Co.	009374	\$	252.85
Southwest Business Machines	009375	\$	1,761.02
Southwest Multi-Co. Correction Ctr.	009376	\$	480.00
Southwest Water Authority	009377	\$	989.48
Southwest Water Authority	009378	\$	3,179.08
Southwestern District Health Unit	009379	\$	11,060.14
St. Alexius Medical Center	009380	\$	250.00
Stark County Auditor	009381	\$	4,488.00
Steffan Feeds	009382	\$	820.00
Stryker Sales Corporation	009383	\$	189.84
Swanston Equipment Corp.	009384	\$	45.11
Symbol Arts	009385	\$	940.00
Tczap, John	009386	\$	268.75
Thompson, Philip M.	009387	\$	253.25
Thos Y Picket & Co., Inc.	009388	\$	15,000.00
ThyssenKrupp Elevator	009389	\$	159.91
Tom's Service Center	009390	\$	2,395.90
Total Safety U.S., Inc.	009391	\$	1,881.28
Trotter Construction, Inc.	009392	\$	4,845.70
U P S Store	009393	\$	27.89
Underground Vaults, Inc.	009394	\$	215.10
Verizon Wireless	009395	\$	1,621.51
Wal-Mart	009396	\$	232.79
Warne Chemical & Equipment Co.	009397	\$	55.92
West Dakota Oil, Inc.	009398	\$	20,160.66
West Plains, Inc.	009399	\$	468.68
Westlie Truck Center	009400	\$	11,732.36
24/7 Contracting Services	009401	\$	14,642.45
N.D.P.E.R.S.	009405	\$	31,399.50
Century Link	009409	\$	518.30
Consolidated	009410	\$	230.19
Discovery Benefits, Inc.	009411	\$	83.00
Information Technology Dept.	009412	\$	503.40
Medora, City of...	009413	\$	310.29
Reservation Telephone Cooperative	009414	\$	41.91
Roughrider Electric Cooperative	009415	\$	2,429.34

Visa	009416	\$	6,391.19
Visa	009417	<u>\$</u>	<u>888.17</u>

Payroll in the following amounts were approved for April: General Fund \$132,516.31; Road and Bridge Fund \$98,235.95; Weed Fund \$7,656.66.

With there being no further business, Kasian moved to adjourn the meeting 2:00P.M. Kessel seconded. All voted aye.

Joseph Kessel, Acting-Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer